

EXHIBIT A

From: "Hixson, Thomas S." <thomas.hixson@morganlewis.com>

Date: Thursday, September 29, 2016 at 3:08 PM

To: Mark Perry <MPerry@gibsondunn.com>

Cc: "OracleServList:Reblitz-Richardson, Beko" <brichardson@bsfllp.com>, "wwa@h2law.com" <wwa@h2law.com>

Subject: RE: Oracle v. Rimini Street

Mark:

Oracle does not agree to this stipulation and believes that no special procedures need be employed to address the issues you raised, as the Federal Rules of Civil Procedure are clear on issues relating to judgments.

Tom Hixson

Morgan, Lewis & Bockius LLP

One Market, Spear Street Tower | San Francisco, CA 94105

Direct: +1.415.442.1194 | Main: +1.415.442.1000 | Fax: +1.415.442.1001

thomas.hixson@morganlewis.com | www.morganlewis.com

Assistant: Jennifer Gray | +1.415.442.1783 | jennifer.gray@morganlewis.com

From: Perry, Mark A. [<mailto:MPerry@gibsondunn.com>]

Sent: Thursday, September 29, 2016 11:29 AM

To: Hixson, Thomas S.

Cc: OracleServList:Reblitz-Richardson, Beko; wwa@h2law.com

Subject: Re: Oracle v. Rimini Street

Tom and Beko,

Please let us know Oracle's position at your earliest convenience. As I told you yesterday, we have third parties awaiting clarity.

Thank you,

MAP

Mark A. Perry

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306

Tel +1 202.887.3667 • Fax +1 202.530.9696
MPerry@gibsondunn.com • www.gibsondunn.com

From: Mark Perry <MPerry@gibsondunn.com>
Date: Wednesday, September 28, 2016 at 6:49 PM
To: "OracleServList:Hixson, Thomas S." <thomas.hixson@morganlewis.com>
Cc: "OracleServList:Reblitz-Richardson, Beko" <brichardson@bsflp.com>, "Allen, W. West" <wwa@h2law.com>
Subject: Re: Oracle v. Rimini Street

Tom and Beko,

As discussed on our call earlier today, I attach a proposed stipulation. We would appreciate a response by Thursday.

Thank you.

MAP

Mark A. Perry

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306
Tel +1 202.887.3667 • Fax +1 202.530.9696
MPerry@gibsondunn.com • www.gibsondunn.com

From: "Hixson, Thomas S." <thomas.hixson@morganlewis.com>
Date: Wednesday, September 28, 2016 at 2:58 PM
To: Mark Perry <MPerry@gibsondunn.com>
Cc: "OracleServList:Reblitz-Richardson, Beko" <brichardson@bsflp.com>
Subject: RE: Oracle v. Rimini Street

Let's use the following dial in:

Dial in number: 866.203.0920
Passcode: 2741318336

Tom Hixson

Morgan, Lewis & Bockius LLP

One Market, Spear Street Tower | San Francisco, CA 94105
Direct: +1.415.442.1194 | Main: +1.415.442.1000 | Fax: +1.415.442.1001
thomas.hixson@morganlewis.com | www.morganlewis.com
Assistant: Jennifer Gray | +1.415.442.1783 | jennifer.gray@morganlewis.com

From: Perry, Mark A. [<mailto:MPerry@gibsondunn.com>]
Sent: Wednesday, September 28, 2016 11:40 AM
To: Hixson, Thomas S.
Cc: OracleServList:Reblitz-Richardson, Beko
Subject: Re: Oracle v. Rimini Street

Tom, 12:30 Pacific works for me. Thanks.

MAP

Mark A. Perry

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306
Tel +1 202.887.3667 • Fax +1 202.530.9696
MPerry@gibsondunn.com • www.gibsondunn.com

From: "Hixson, Thomas S." <thomas.hixson@morganlewis.com>
Date: Wednesday, September 28, 2016 at 1:58 PM
To: Mark Perry <MPerry@gibsondunn.com>
Cc: "OracleServList:Reblitz-Richardson, Beko" <brichardson@bsfllp.com>
Subject: RE: Oracle v. Rimini Street

Mark,

As I've requested, please copy Boies Schiller and Morgan Lewis on emails about this case. Beko and I are available 11-1 Pacific today. Please let us know your availability, and we will circulate a dial in.

Tom Hixson

Morgan, Lewis & Bockius LLP

One Market, Spear Street Tower | San Francisco, CA 94105
Direct: +1.415.442.1194 | Main: +1.415.442.1000 | Fax: +1.415.442.1001
thomas.hixson@morganlewis.com | www.morganlewis.com
Assistant: Jennifer Gray | +1.415.442.1783 | jennifer.gray@morganlewis.com

From: Perry, Mark A. [<mailto:MPerry@gibsondunn.com>]
Sent: Wednesday, September 28, 2016 9:02 AM
To: Hixson, Thomas S.
Subject: Oracle v. Rimini Street

Tom,

I would like to speak with you personally for 5-10 minutes this morning. Please let me know your availability. Thank you.

MAP

Mark A. Perry

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W., Washington, DC 20036-5306
Tel +1 202.887.3667 • Fax +1 202.530.9696
MPerry@gibsondunn.com • www.gibsondunn.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

DISCLAIMER

This e-mail message is intended only for the personal use of the recipient(s) named above. This message may be an attorney-client communication and as such privileged and confidential and/or it may include attorney work product. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

1 BOIES, SCHILLER & FLEXNER LLP
2 RICHARD J. POCKER (NV Bar No. 3568)
3 300 South Fourth Street, Suite 800
Las Vegas, NV 89101
4 Telephone: (702) 382-7300
Facsimile: (702) 382-2755
rpocker@bsfllp.com

5 BOIES, SCHILLER & FLEXNER LLP
WILLIAM ISAACSON (*pro hac vice*)
6 KAREN DUNN (*pro hac vice*)
5301 Wisconsin Ave, NW
7 Washington, DC 20015
Telephone: (202) 237-2727
8 Facsimile: (202) 237-6131
wisaacson@bsfllp.com
kdunn@bsfllp.com

10 BOIES, SCHILLER & FLEXNER LLP
11 STEVEN C. HOLTZMAN (*pro hac vice*)
1999 Harrison Street, Suite 900
12 Oakland, CA 94612
Telephone: (510) 874-1000
13 Facsimile: (510) 874-1460
sholtzman@bsfllp.com
fnorton@bsfllp.com

15 MORGAN, LEWIS & BOCKIUS LLP
THOMAS S. HIXSON (*pro hac vice*)
16 KRISTEN A. PALUMBO (*pro hac vice*)
One Market, Spear Street Tower
17 San Francisco, CA 94105
Telephone: 415.442.1000
18 Facsimile: 415.442.1001
thomas.hixson@morganlewis.com
kristen.palumbo@morganlewis.com

20 DORIAN DALEY (*pro hac vice*)
DEBORAH K. MILLER (*pro hac vice*)
21 JAMES C. MAROULIS (*pro hac vice*)
ORACLE CORPORATION
22 500 Oracle Parkway, M/S 5op7
Redwood City, CA 94070
23 Telephone: 650.506.4846
Facsimile: 650.506.7114
24 dorian.daley@oracle.com
deborah.miller@oracle.com
jim.maroulis@oracle.com

26 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc., and Oracle International Corp.
27
28

SHOOK, HARDY & BACON LLP
B. TRENT WEBB (*pro hac vice*)
PETER E. STRAND (*pro hac vice*)
RYAN D. DYKAL (*pro hac vice*)
2555 Grand Boulevard
Kansas City, Missouri 64108-2613
Telephone: (816) 474-6550
Facsimile: (816) 421-5547
bwebb@shb.com
pstrand@shb.com
rdykal@shb.com

SHOOK, HARDY & BACON LLP
ROBERT H. RECKERS (*pro hac vice*)
600 Travis Street, Suite 3400
Houston, Texas 77002
Telephone: (713) 227-8008
Facsimile: (713) 227-9508
reckers@shb.com

HOWARD & HOWARD
W. West Allen (Nevada Bar No. 5566)
3800 Howard Hughes Parkway, Suite 1000
Las Vegas, NV 89169
Telephone: (702) 667-4843
wallen@howardandhoward.com

GIBSON, DUNN & CRUTCHER LLP
Mark A. Perry (*pro hac vice*)
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: (202) 955-8500
mperry@gibsondunn.com

Blaine H. Evanson (*pro hac vice*)
Joseph A. Gorman (*pro hac vice*)
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: (213) 229-7228
bevanson@gibsondunn.com

DANIEL B. WINSLOW
RIMINI STREET, INC.
6601 Koll Center Parkway Suite 300
Pleasanton, CA 94566
Telephone: (925) 264-7736
dwinslow@riministreet.com

Attorneys for Defendants Rimini Street,
Inc., and Seth Ravin

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

v. Plaintiffs,

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**STIPULATION AND [PROPOSED]
ORDER REGARDING FINAL
JUDGMENT**

10

11 WHEREAS on October 13, 2015, the Court entered a minute order stating that “final
12 judgment is to be entered upon ruling of pending claims for Injunctive Relief and other post-trial
13 motions” (Dkt. 893);

14 WHEREAS pursuant to that minute order, Plaintiffs Oracle USA, Inc., Oracle America,
15 Inc., and Oracle International Corp. (collectively, “Oracle” or “Plaintiffs”) and Defendants
16 Rimini Street, Inc. (“Rimini Street”) and Seth Ravin (“Ravin”) (together, “Rimini” or
17 “Defendants”; together with Oracle, the “Parties”) stipulated on October 19, 2015 that a single
18 final judgment would be entered after disposition of all post-trial motions (Dkt. 899 at 2 (“The
19 parties will submit a joint proposed final judgment form or, if they cannot agree, competing
20 proposed final judgments, within 5 days of disposition of all post-trial motions”));

21 WHEREAS the Court entered that stipulation as an order on October 22, 2015 (Dkt. 903
22 (“The court has reviewed the parties’ stipulation and agrees with the parties’ stipulation on ...
23 the final entry of judgment”));

WHEREAS the parties filed post-trial motions including Rimini's motions for judgment notwithstanding the verdict on Oracle's computer hacking claims (Dkt. 913) and the Copyright Act claims (Dkt. 915), and Oracle's motion for attorney's fees (Dkt. 922), a permanent injunction (Dkt. 900), and prejudgment interest (Dkt. 910);

1 WHEREAS the Court denied Rimini's Rule 50(b) Copyright Act motion on February 8,
2 2016 (Dkt. 994), denied Rimini's Rule 50(b) hacking claims motion on June 13, 2016 (Dkt.
3 1041), and granted in part and denied in part Oracle's post-trial motions on September 21, 2016
4 (Dkt. 1049);

5 WHEREAS the Clerk entered a judgment on attorney's fees on September 21, 2016 (Dkt.
6 1051);

7 WHEREAS in its September 21, 2016 order, the Court directed the submission of
8 appropriate orders on a permanent injunction and prejudgment interest (Dkt. 1049 at 22);

9 WHEREAS Oracle filed a proposed order for permanent injunction (Dkt. 1052) and a
10 proposed final judgment including prejudgment interest calculations (Dkt. 1053) on September
11 23, 2016;

12 WHEREAS Rimini filed objections to Oracle's proposed orders, with competing
13 proposed orders, on September 26, 2016 (Dkt. 1055), and Oracle filed a response to Rimini's
14 objection on September 27, 2016 (Dkt. 1056);

15 WHEREAS the Parties seek to avoid dispute or confusion regarding the entry and
16 enforceability of the forthcoming final judgment;

17 THEREFORE IT IS HEREBY STIPULATED by and between the Parties that:

18 1. The Parties reaffirm their prior agreement entered as a stipulation (Dkt. 899) and
19 order (Dkt. 903) to submit a joint proposed final judgment form or, if they cannot agree,
20 competing proposed final judgments, within 5 days of disposition of all post-trial motions.
21 "Disposition of all post-trial motions" will occur when, and not before, the Court has entered
22 both a permanent injunction order and an order setting prejudgment interest.

23 2. Oracle hereby withdraws its proposed final judgment, submitted as Dkt. 1053.

24 3. Following the Court's entry of orders regarding both a permanent injunction and
25 prejudgment interest, the parties will meet and confer and submit a joint proposed final judgment
26 form or, if they cannot agree, competing proposed final judgments, within 5 days.

27 4. The Court's entry of that single final judgment will trigger the 14-day automatic
28 stay under Rule 62(a) of the Federal Rules of Civil Procedure regarding all amounts owed in the

1 final judgment, including, without limitation, the verdict, attorney's fees and costs, and
2 prejudgment interest. For the avoidance of doubt, no amounts will be due or enforceable or
3 executable prior to the entry of the single final judgment, including without limitation, the
4 verdict, attorney's fees and costs, or prejudgment interest.

5

6 **SO STIPULATED AND AGREED.**

7 DATED: September __, 2016 GIBSON, DUNN & CRUTCHER LLP

8 By: /s/
9 Mark A. Perry

10 Attorneys for Defendants Rimini Street, Inc. and
Seth Ravin

11 DATED: September __, 2016 MORGAN, LEWIS & BOCKIUS LLP

12 By: /s/
13 Thomas S. Hixson

14 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
15 America, Inc. And Oracle International Corporation

16 **ATTESTATION OF FILER**

17 The signatories to this document are Thomas S. Hixson and me, and I have obtained Mr.
18 Hixson's concurrence to file this document on his behalf.

19 DATED: September __, 2016 GIBSON, DUNN & CRUTCHER LLP

20 By: /s/
21 Mark A. Perry

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24 Dated: _____

25 Hon. Larry R. Hicks
26 United States District Judge

27

28